

UNITED STATES DISTRICT COURT

for the

Middle District of Tennessee

United States of America

v.

DAVID ASael SORIANO VILLALOBOS

Case No. 24-mj-4037

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 29, 2024 in the county of Davidson in the
Middle District of Tennessee, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. Sections 111(a)(1) and (b) Assaulting, Resisting, or Impeding certain Officers or Employees with the
Infliction of Bodily Injury

This criminal complaint is based on these facts:

See Attached affidavit

☒ Continued on the attached sheet.

/s/ Hunter Allen

Complainant's signature

Hunter Allen, FBI Special Agent

Printed name and title

Sworn to me remotely by telephone, in compliance with
Fed. R. Crim. P. 4.1.

Date: January 31, 2024

City and state: Nashville, Tennessee



Alistair Newbern
Judge's signature

Magistrate Judge Alistair E. Newbern

Printed name and title

STATEMENT IN SUPPORT OF CRIMINAL COMPLAINT

I, Hunter Allen, having been duly sworn, hereby depose and swear to the following:

1. I am a Special Agent (SA) with the Federal Bureau of Investigation (FBI) and have been so employed since February 2023. I am currently assigned to the Nashville Field Office within the Middle District of Tennessee. I am assigned to investigate a variety of criminal matters, including criminal violations related to violent crime and narcotics offenses occurring in the Middle District of Tennessee. Prior to becoming a Special Agent with the FBI, I was employed as a Special Agent with the North Carolina State Bureau of Investigation (NCSBI). In my last position with the NCSBI, I was assigned to investigate narcotics and violent offenses. I was employed by the NCSBI in this role for approximately six years.

2. This affidavit is submitted in support of a Criminal Complaint for the arrest of DAVID ASAEEL SORIANO VILLALOBOS for the offense of Assaulting, Resisting, or Impeding certain Officers or Employees and inflicting bodily injury, in violation of Title 18, United States Code, Sections 111(a)(1) and (b).

3. The facts contained in this statement are based on first-hand knowledge or information learned during this investigation from other law enforcement sources related to the investigation. This statement does not provide each and every detail known by me regarding this investigation, but rather provides information necessary to establish probable cause for the arrest of VILLALOBOS for the stated offense. Except where indicated, all statements referred to below are set forth in substance and in part, rather than verbatim.

PROBABLE CAUSE

4. On January 29, 2024, Drug Enforcement Administration (DEA) Task Force Officers (TFO) Mark Moghaddam and Josh Gregory; and Rutherford County Sheriff's Office (RCSO) Detective Jamie O'Rourke, were conducting surveillance at a residence located on

Dickerson Pike in Nashville, Tennessee as part of an ongoing DEA investigation. RCSO Detective O'Rourke is employed by the RCSO but is in the process of becoming a TFO with the DEA and was authorized by the DEA to assist them in the investigation.

5. The residence where the officers were conducting surveillance was believed to be occupied by DAVID ASael SORIANO VILLALOBOS ("VILLALOBOS"), who was a target of the DEA drug investigation. During surveillance, officers saw VILLALOBOS on the porch area of the residence weighing a quantity of what appeared to be marijuana. A short time later, VILLALOBOS left the residence with a backpack and drove away in a Toyota 4-Runner. TFO Gregory and Detective O'Rourke followed VILLALOBOS and conducted a traffic stop on the Toyota.

6. TFO Gregory approached the Toyota and asked VILLALOBOS to roll down the driver's side window, at which point TFO Gregory smelled a strong odor of marijuana coming from the vehicle. TFO Gregory asked VILLALOBOS to step out of the vehicle and proceeded to pat down VILLALOBOS. TFO Gregory felt a bulge in VILLALOBOS's jacket pocket and found approximately one ounce of marijuana in the pocket. VILLALOBOS also told officers that he had a gun on the passenger floorboard of his Toyota. VILLALOBOS followed TFO Gregory to his truck, where TFO Gregory showed him his credentials and identified himself as a DEA TFO. TFO Gregory was also wearing a vest at the time which stated "POLICE" on the front.

7. VILLALOBOS sat in TFO Gregory's front passenger seat for a few minutes while TFO Gregory explained to him that he was under investigation for drug trafficking. When the conversation turned to discussing the need to search VILLALOBOS's residence, he became agitated, and the officers began to fear for their safety. TFO Gregory and Detective O'Rourke, who was also present, decided to ask VILLALOBOS to step out of the truck and handcuff him for

their safety. TFO Gregory asked VILLALOBOS to get out of the truck, but he refused. Detective O'Rourke, who was also wearing a vest stating, "DEA POLICE," approached the front passenger's side of the truck and got VILLALOBOS out. TFO Gregory then observed VILLALOBOS push Detective O'Rourke out of the way and run to the back of the truck. After a brief chase, Detective O'Rourke and TFO Moghaddam, caught VILLALOBOS and got him to the ground.

8. Once on the ground, a physical struggle ensued between VILLALOBOS, TFO Moghaddam, TFO Gregory and Detective O'Rourke. During the struggle, TFO Moghaddam observed VILLALOBOS reach for Detective O'Rourke's service pistol on numerous occasions during the struggle. VILLALOBOS was also "flailing" and making physical contact with all three law enforcement officers. During this physical struggle, Detective O'Rourke's right shoulder was injured.

9. VILLALOBOS continued to resist law enforcement and refused to give up his hands to be restrained. TFO Gregory was eventually able to get handcuffs on VILLALOBOS and stand him up. Once standing, VILLALOBOS attempted to flee again. TFO Moghaddam chased after VILLALOBOS and was able to get him back on the ground where they eventually placed leg restraints on him. Prior to securing VILLALOBOS's legs with restraints, he was kicking TFOs Moghaddam and Gregory in the legs, stomach, and arms. Once the leg restraints were applied, VILLALOBOS stopped attempting to fight law enforcement.

10. During the course of the struggle, VILLALOBOS sustained a cut to his head and Detective O'Rourke sustained an injury to his right shoulder. Both VILLALOBOS and Detective O'Rourke were taken by ambulance to local hospitals to receive treatment for their injuries sustained during the altercation.

11. All of the events described above occurred in the Middle District of Tennessee.

CONCLUSION

12. Based on my training and experience and the totality of the facts stated above, I submit that there is probable cause to believe that on or about January 29, 2024, in the Middle District of Tennessee, VILLALOBOS has committed the offense of Assaulting, Resisting, or Impeding certain Officers or Employees and during the commission of this offense VILLALOBOS inflicted bodily injury, in violation of Title 18, United States Code, Sections 111(a)(1) and (b). Based on the foregoing, I respectfully request that an arrest warrant be issued for VILLALOBOS for this offense.